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STATUTORY INSTRUMENTS

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**1958 No. 2136**

**The Superannuation (English Local Government and Northern Ireland) Interchange (Amendment) Rules 1958**

11. For rule 8 of the principal rules there shall be substituted the following rule:—

“8.—(1) Where a person to whom rule 4 of these rules applies leaves employment in which he is, or is deemed to be, a contributory employee or local Act contributor, or dies, in circumstances in which, under the relevant superannuation provision there is payable to or in respect of him an amount by way of return of contributions (with or without interest) or a benefit which falls to be calculated by reference to any such amount, then, for the purpose of the relevant superannuation provision, the amount of his contributions shall be taken to include in respect of service which, by virtue of these rules, has become reckonable as service for the purposes of the Act of 1937 or the relevant local Act scheme an amount equal to the amount which would have been payable by way of return of contributions under the pension scheme applicable to him in his former employment if, on his ceasing to hold that employment, he had been entitled to receive an amount by way of return of contributions without interest.

(2) Where, under the relevant superannuation provision, the amount payable by way of return of contributions or by way of benefit is a sum equal to, or which falls to be calculated by reference to, the amount of his contributions with compound interest thereon, compound interest shall also be payable in respect of the amount by which those contributions are increased under the last preceding paragraph, calculated—

- (a) as respects the period ending immediately before the day on which he became, or was deemed to become, a contributory employee or local Act contributor, at the rate at which it would have been calculated under the pension scheme applicable to him in his former employment if, on leaving that employment he had been entitled to a return of contributions together with compound interest thereon; and
- (b) as respects the period beginning with the date on which he became, or was deemed to become, a contributory employee or local Act contributor, in accordance with the provisions of section 10 of the Act of 1937 or, as the case may be, the corresponding provisions of the relevant local Act scheme.

(3) Notwithstanding anything in the previous provisions of this rule, the sum by which contributions payable under the relevant superannuation provisions are increased under paragraph (1) or (2) of this rule shall not include—

- (a) any amount in respect of payments made voluntarily for the purpose of securing benefits for a widow, children or other dependants; or
- (b) any sum in respect of contributions which, on or after the person's ceasing to be employed as a pensionable employee of a Northern Ireland employing authority, were returned to and retained by him; or
- (c) any amount in respect of voluntary contributions which, being payments to which paragraph (1) or (2) of rule 5 of these rules applied, have not been continued in pursuance of that rule.”